

### **Remarks/Arguments**

This Amendment is submitted in response to the Office Action mailed January 26, 2006, wherein Claims 17-18, 20, 22, and 25-28 were rejected as being unpatentable over U. S. Patent No. 6,229,828 to Sander et al. ("Sanders") in view of U. S. Patent No. 6,324,326 to Dejneka et al. ("Dejneka"); Claim 21 was rejected as being unpatentable over Sanders in view of Dejneka and U. S. Patent No. 5,097,447 to Scheps ("Scheps"); Claims 29-30 were rejected as being unpatentable over Sander in view of Dejneka and U. S. Patent No. 6,751,010 to Richter ("Richter"); Claims 31, 63-64, 66, 68, 71-74, and 77 were rejected as being unpatentable over Sanders in view of Dejneka and a CLEO Presentation by Goers et al. ("Goers"); Claim 67 was rejected as being unpatentable over Sanders in view of Dejneka, Goers, and Scheps; and Claims 75-76 were rejected as being unpatentable over Sanders in view of Dejneka, Goers, and Richter.

The Office Action also indicated that Claims 19, 23-24, 32-33, 65, 69-70, and 78-79 were objected as being dependent on a rejected base claim, being allowable if rewritten in independent form, and Claims 1-16, 34-62, and 80-92 were allowed. In response, Claims 17 and 63 were canceled, and Claim 18-20, 22-25, and 27-32, and Claims 64-66, 68-71, and 73-78 were amended. **Claims 1-16, 18-62, and 64-92 are thus pending in the application.**

For the reasons set forth below, Applicants respectfully submit that all remaining claims in this application are patentably distinct over the prior art of record. Reconsideration and allowance of all pending claims in the application are respectfully solicited.

#### **ALLOWABLE SUBJECT MATTER**

Applicants acknowledge the Examiner's indication that Claim 1-16, 34-62, and 80-92 have been allowed. Applicant gratefully acknowledges the Examiner's allowance of these claims.

Applicants also acknowledges the indication that Claims 19, 23-24, 32-33, 65, 69-70, and 78-79 would be allowable if presented in independent form to include the limitations of their respective base claims and any intervening claim. In response, Applicant has amended Claims 32 and 78 to be in dependent form, and believes that Claims 32, 33, 78 and 79 are in condition for allowance.

Claim 32 has been amended to be in dependent form including the limitations of the

original Claim 32 and base Claim 17, and Claim 17 has been canceled. Claim 32, as amended, is thus believed to be in condition for allowance. In addition, Claim 33, which depends on Claim 32, as amended, now includes the limitations of the base and intervening claims of the original Claim 33, and is also believed to be in condition for allowance.

Claim 78 has been amended to be in dependent form including the limitations of the original Claim 78 and base Claim 63, and Claim 63 has been canceled. Claim 78, as amended, is thus believed to be in condition for allowance. In addition, Claim 79, which depends on Claim 78, as amended, now includes the limitations of the base and intervening claims of the original Claim 79, and is also believed to be in condition for allowance.

Further in response, Claims 19 and 23-24 have been amended to depend on Claim 32, and Claims 65 and 69-70 have been amended to depend on Claim 78. Since Claims 32 and 78, as amended, fail to disclose the limitations of these claims, as noted by the Examiner, Applicants submit Claims 19, 23-24, 65, and 69-70, as amended, are also patentable over the prior art and are in condition for allowance.

### **REJECTION TO THE CLAIMS**

#### **Rejection under 35 U.S.C. §103(a)**

Claims 17-18, 20-22, 25-31, 63-64, 66-68, and 71-77 were rejected as being unpatentable over combinations of Sander, Dejneka, Scheps, Richter, and Goers. Although the Applicant does not agree with the Rejection of the claims, Applicant has, in response to this Rejection, cancelled Claims 17 and 63 and amended Claims 18, 20, 22, 25, 27, 28, 29, 30, 31, 64, 66, 68, 71, 73, 74, 75, 76, and 77 without prejudice and purely for the purposes of allowing prosecution to proceed to allowance. Applicant reserves the right to present arguments in a continuing application. Applicant respectfully submits that the claims, as amended, are patentable are requests that the rejection of Claims 17-18, 20-22, 25-31, 63-64, 66-68, and 71-77 under §103(a) be withdrawn.

Claims 17 and 63 have been canceled, and thus the rejection of Claims 17 and 63 is moot.

Claims 18, 20, 22, 25, 27, 28, 29, 30, and 31 have been amended to include the recitation of Claim 32, as amended, which is believed to be allowable for the reasons above.

Claims 21 and 26 have not been amended, but each have Claim 32, as amended, as a base claim, which is believed to be allowable for the above reasons.

Since Claim 32, as amended, is believed to be patentable over the prior art, Applicant

respectfully submits that dependent Claims 18, 20, 21, 22, 25, 26, 27, 28, 29, 30, and 31, as amended, are neither anticipated nor obvious over the cited references, and requests that the Examiner withdraw the rejection of Claims 18, 20, 21, 22, 25, 26, 27, 28, 29, 30, and 31, as amended, under §103(a).

Claims 64, 66, 68, 71, 73, 74, 75, 76, and 77 have been amended to include the recitation of Claim 78, as amended, which is believed to be allowable for the reasons above.

Claims 67 and 72 have not been amended, but each have Claim 78, as amended, as a base claim, which is believed to be allowable for the above reasons.

Since Claim 78, as amended, is believed to be patentable over the prior art, Applicant respectfully submits that dependent Claims 64, 66, 67, 68, 71, 72, 73, 74, 75, 76, and 77, as amended, are neither anticipated nor obvious over the cited references, and requests that the Examiner withdraw the rejection of Claims 64, 66, 67, 68, 71, 72, 73, 74, 75, 76, and 77, as amended, under §103(a).

Applicants has canceled and amended claims in response to the

Applicants respectfully submit that the application is in condition for allowance and action to that end is respectfully solicited. If the Examiner should feel that a telephone interview would be productive in resolving any issues in the case, please telephone the undersigned at the number listed below.

Respectfully submitted,

April 26, 2006

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